

Prob 12
(Rev. 3/88)

**UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA**

U.S.A. VS. DONALD EDWARD CAPLEA

Docket No. 01-00030-001 ERIE

Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Donald Edward Caplea, who was placed on supervision by the Honorable Sean J. McLaughlin sitting in the Court at Erie, Pennsylvania, on the 11th day of July 2002, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- The defendant shall not commit another federal, state, or local crime.
- The defendant shall not illegally possess a controlled substance.
- The defendant shall not possess a firearm, or destructive device.
- The defendant shall refrain from the unlawful use of a controlled substance.
- The defendant shall participate in a program of testing and, if necessary, treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. Further, the defendant shall be required to contribute to the costs of services for any such treatment in an amount determined by the probation officer, but not to exceed the actual costs. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic tests thereafter.
- The defendant shall pay any restitution at the rate of not less than 10 percent of his monthly gross income.
- The defendant shall provide the probation officer with access to any requested financial information.
- The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with the payment schedule
- The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- The defendant shall be placed on home detention for a period of 7 months, to commence within 30 days of release from imprisonment. During this time, the defendant shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. At the direction of the probation officer, the defendant shall wear an electronic device and shall observe the rules specified by the Probation Department.
- The defendant shall participate in a mental health treatment program as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.
- The defendant shall pay \$6,360 restitution jointly and severally with his codefendant, Ferris Page.
- The defendant shall pay a special assessment of \$100.

07-11-02: Bank Robbery; 7 months' custody of the Bureau of Prisons, to be followed by 3 years' supervised release.

04-04-03: Released to supervision; Currently supervised by U.S. Probation Officer David J. Conde.

U.S. DISTRICT COURT
CLERK

06 FEB 17 P 3:48

FILED

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS FOLLOWS:

Your Petitioner reports that Mr. Caplea was ordered by the Court to pay \$6,360 in restitution, jointly and severally with Ferris Page. The rate of payment of restitution was to be at the rate of 10 percent of the releasee's gross monthly income. Mr. Caplea has paid \$1,887.50. A balance of \$4,347.50 remains. In April 2005, Mr. Caplea was placed on medical disability by his physician, and he has not been employed since then. He has had no source of income, and his wife has supported him. Mr. Caplea does not have the ability at this time to pay the balance of the restitution in full by the expiration of his term of supervised release on April 3, 2006. Therefore, it is respectfully recommended that the case be allowed to close with money owing

PRAYING THAT THE COURT WILL ORDER that the term of supervised release imposed at Criminal No. 01-00030-001 Erie be allowed to expire as scheduled with the restitution due and owing and the case be closed.

ORDER OF COURT

Considered and ordered this _____ day of _____, 20 _____ and ordered filed and made a part of the records in the above case.

U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on _____

February 17, 2006

David J. Conde

David J. Conde
U.S. Probation Officer

Gerald R. Buban

Gerald R. Buban
Supervising U.S. Probation Officer

Place: Erie, Pa